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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,272	04/21/2004	Toshiharu Nakajima	61355-057	5442
7590 11/01/2006		EXAMINER		
McDERMOTT, WILL & EMERY			TO, TUAN C	
600 13th Street, N.W. Washington, DC 20005-3096			ART UNIT	PAPER NUMBER
			3663	
			DATE MAILED: 11/01/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
Office Action Summary		10/828,272	NAKAJIMA, TOSHIHARU			
		Examiner	Art Unit			
		Tuan C. To	3663			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORT WHICHE - Extensions after SIX (I - If NO peric - Failure to I - Any reply I	TENED STATUTORY PERIOD FOR REPLY VER IS LONGER, FROM THE MAILING DAS OF time may be available under the provisions of 37 CFR 1.1 (a) MONTHS from the mailing date of this communication. Of for reply is specified above, the maximum statutory period of reply within the set or extended period for reply will, by statute received by the Office later than three months after the mailing lent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).			
Status						
2a)⊠ Thi 3)⊡ Sin	2a) ☐ This action is FINAL . 2b) ☐ This action is non-final.					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition (of Claims					
4a) 5)⊡ Cla 6)⊠ Cla 7)⊡ Cla	im(s) <u>1-8</u> is/are pending in the application. Of the above claim(s) <u>8</u> is/are withdrawn from the im(s) is/are allowed. im(s) <u>1-7</u> is/are rejected. im(s) is/are objected to. im(s) are subject to restriction and/o					
Application	Papers		•			
9) <u></u> The	specification is objected to by the Examine	er.				
10)⊠ The drawing(s) filed on <u>21 April 2004</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority unde	er 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.						
2) Notice of 3) Information	References Cited (PTO-892) Draftsperson's Patent Drawing Review (PTO-948) on Disclosure Statement(s) (PTO/SB/08) (s)/Mail Date	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	ate			

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-7 are rejected under 35 U.S.C. 102 (a) as being anticipated by Ohtsuji et al. (US 20020156570A1).

Regarding claims 1 and 7, Ohtsuji et al. directs to an audio interactive navigation system for motor vehicle comprising: an off-vehicle information storage device which is the management unit (309) of the audio interactive server (105) (Ohtsuji et al, figure 1 and figure 3). The information stored in the management unit (309) includes individual information for each user, and that the information is used as reference for generation of an audio interactive model characterized for each user at the time of service (Ohtsuji et al, page 3, paragraph 0048). The car terminal device, as shown in figure 1 and in paragraph 0036, communicates with the audio interactive server (105) via the telephone line (112). Therefore, Ohtsuji et al. reads on the limitations "an off-vehicle information storage device in which a plurality of different types of information to be provided to a plurality of on-vehicle apparatuses, via a telephone lines, are store". Ohtsuji et al.

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further teaches "an interactive voice response device configured to allow a user to customize audio guidance used in a subsequent dialogue with the user through an automatic voice response via the telephone line (Ohtsuji et al, abstract; figure 1; page 2, paragraph 0032, the unit 101 realizes user's voice input). Ohtsuji et al. further teaches "an information acquisition device configured to obtain information from the off-vehicle information storage device based upon the dialogue between the user and the interactive voice response device" (Ohtsuji et al, figure 1, audio interactive server 105); and an information transmission device configured to transmit the information obtained by the information acquisition device to at least one of the plurality of on-vehicle apparatuses (Ohtsuji et al., figure 1, communication device 111).

As to claim 2, Ohtsuji et al. further teaches that the interactive voice response device which is the voice recognition processing unit of the car terminal device (100) (Ohtsuji et al, paragraph 0032), and that an audio guidance is edited based upon the individual information that is stored in the database (310) at the server (105) (Ohtsuji et al, page 3, paragraph 0048).

As to claims 3 and 5, Ohtsuji et al. further teaches that the car terminal device (100) includes a speaker (102) that provides audio guidance to a user and to prompt the user a type of information. Ohtsuji et al. additionally teaches "the interactive voice response device provides audio guidance to prompt the user to specify whether or not the user wishes to receive a pre-registered type of information". For example, after the first voice output received from the audio interactive server (105) for obtaining a request of the user such as "what", the user then provides an audio guidance such as "Route

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assistance, please" in order to specify that the user wishes to receive the route guidance assistance (Ohtsuji et al., page 4, paragraph 0061).

As to claim 4, Ohtsuji et al. further teaches "the interactive voice response device tabulates information provided to a given user in the past and provides audio guidance customized for the user based upon tabulation results" (Ohtsuji et al., page 3, paragraph 0048).

As to claim 6, Ohtsuji et al. further teaches "a dialog contents storage device in which contents of a dialogue conducted between the user and the interactive voice response device when providing information to the user are stored, wherein the dialog contents stored in the dialogue contents storage device are indicated to the user" (Ohtsuji et al,. figure 1, page 4, paragraph 0062, the car terminal device communicates with the interactive server (105) in which the user dialog contents are stored).

Response to Arguments

Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

In response to the applicant's amendment to claims 1 and 7 filed on 08/07/2006, the previous art rejection has been withdrawn, however, the application cannot be placed in a condition of allowance since the reference to Ohtsuji et al. has been found teaching the limitations as now claimed.

Conclusions

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner,

Tuan C To

October 27, 2006